

Chairman Kesto, Vice-chairman Lucido, Vice-chairwoman Chang and other members of the committee, I thank you for this opportunity to testify before the Law and Justice Committee. I appreciate your commitment to improving the safety of children, and your interest in the impact of mandatory child abuse reporting.

My name is Dr. Mical Raz, and I am here to testify about my research. I do not represent any organization today. I am a physician; certified by the American Board of Internal Medicine, and have a PhD in history and a Masters in Health policy research. My current research focuses on child abuse policies.

I have studied the effects of expanded mandatory reporting in Pennsylvania, as well as changes in policies nationwide starting in the 1970s.

First, I want to start by commending you for your interest in reducing child abuse. The abuse of innocents is a tragedy that can derail the course of their entire lives.

However, my opinion is that the state should not expand mandatory reporting requirements. While it may seem logical that increasing mandatory reporting would reduce child abuse, we have no evidence that it keeps our children safer. Furthermore, mandatory reporting has emotional and financial costs, and takes a toll on communities, who undergo intrusive investigations and interventions.

Clearly, policymakers and child advocates want to encourage reporting of child abuse and neglect, and make sure appropriate action is taken. We are all saddened and shocked to learn of cases in which adults were aware of ongoing abuse and failed to report it. Yet it's important to encourage accurate reporting of

child abuse and serious neglect. More reporting does not equal more accurate reporting. Often increased reporting leads to more reports of non-abuse situations. These include for instance home conditions that are not ideal for families, but do not rise to the level of abuse. For example, when families who do not have enough food or clothing are reported for neglect, rather than offered services to address their needs, this is not a good use of resources. The large increase in reporting that comes with expanding reporting laws can actually divert resources and attention away from situations where actual abuse may be taking place, and conversely make our children less safe.

It's important to ask what are the barriers to effective and accurate reporting. Some studies have shown that barriers include a lack of knowledge about child abuse (including amongst physicians and healthcare workers) and unfamiliarity with the legal requirements of reporting. There is no evidence that insufficient penalties are a barrier to reporting, nor that an increase in penalties increases accurate reporting, although it certainly does increase overall reporting. Although it seems reasonable to encourage everyone to "say something if they see something", the reality is that professionals (health care professionals, law enforcement, social services, childcare providers and mental health clinicians) provide the most reports and those most likely to be confirmed. So it makes sense to focus energy on encouraging professionals to report, by means of training, education, and facilitating the reporting process, rather than opting to cast a wider net.

Furthermore, recently published study shows that in states that have universal mandatory reporting, meaning that everyone is legally required to report suspicions of child maltreatment, which is currently in effect in 18 states and Puerto Rico, there are indeed more reports of child maltreatment. However, there is no difference in reports of physical abuse, nor in their substantiation. So in this large-scale study, more reporting didn't lead to better identification of children at risk for serious harm.

I'd like to talk briefly about the experience of expanded mandatory reporting in Pennsylvania. In the aftermath of the 2011 Penn State sexual abuse scandal, and the ensuing trial, Pennsylvania passed 24 pieces of legislation amending the state's Child Protective Services Law or criminal code. The main effects of these legislative changes, most of which went into effect at the end of 2014, included expanding the definition of a mandatory reporter of child maltreatment, and an expanded definition of child abuse. This was a direct response to the finding that disgraced Coach Jerry Sandusky had been abusing children for decades, and that numerous adults were aware but had failed to report this.

Despite these new policies, and a significant increase in the reporting of suspected child maltreatment, there is no evidence that children in Pennsylvania are safer now than prior to these changes.

Pennsylvania employs a differential system, distinguishing between General Protective Services cases, and Child Protective Services. Reports that don't rise to the level of child abuse may be handled as a General Protective Services case, which deals more with children and families at risk, rather than child abuse.

Overall, there was a significant increase in reports of significant child abuse (39% increase in the first year), as well as in general protective services reports. The absolute number of substantiated reports increased modestly, while the substantiation rate went down from 11.5% in 2014 to 10.4% in 2015. The number of reports further increased in 2016, the last year for which we have data openly available. Although there was a modest increase in absolute numbers of substantiated reports, if you look back, the years 1999-2008 all had a higher absolute number of substantiated reports, as well as a higher substantiation rate than 2015-16, and fewer reports in general. So really it is hard if not impossible to say that mandatory reporting helped uncover more cases of abuse, given that there were more absolute cases substantiated in many of the years that preceded the expansion of mandatory reporting.

There were also challenges with the Pennsylvania child abuse reporting hotline, Childline. The state auditor's initial evaluation of Childline, found that the system was inundated by calls, and tens of thousands were unanswered or undocumented.

Mostly what this demonstrates is that when expanding mandatory reporting, we can anticipate a significant increase in reports, which requires significant additional manpower and innovative technology to address.

Another question is what is being reported. The most notable increase in PA was in General Protective Services reports. In 2016 there were GPS 151,087 reports, which is TRIPLE the number of reports that were documented in 2014. Of these reports, about a fifth were found to be valid, meaning there was merit to the

allegations. Unfortunately not all of those validated cases in fact received services. The five most common categories of valid allegations were substance abuse by parents, homelessness, parental conduct placing child at risk, child behavioral problems, and truancy and parental behavioral health issues. All of these issues are important, as they may place children at risk and require a response. However, these are not child abuse reports, and should necessitate the provision of social services, that need to be further funded.

With the increase in reports that resulted from the expanded mandatory reporting laws, there was no increase in funding for intake workers, caseworkers and investigators, in an already overburdened and underfunded child welfare system. There was also little appropriation of funds for the provision of services that are essential to protecting children, strengthening families and preventing out-of-home placement.

It seems to me, in the haste to ensure more comprehensive reporting, many lost sight of the end goal – improving the safety of children.

Creating more reports does not in itself lead to better outcomes for children – it is the investigation, and more importantly the response, most often the provision of services, that can help struggling families. Yet in this respect we are not meeting our goals.

Tragically, in 2016 in Pennsylvania, there were 46 children who died of abuse and neglect, and 79 nearly died. Between 2012-2016 there was an absolute increase in child fatalities, as well as an absolute increase in number of children whose deaths were substantiated as a child abuse/neglect case. The same is true for

near fatalities. Even more alarmingly, in 2016 nearly half the deaths were in children already known to protective services. Although there are a number of factors contributing to the rise of child abuse fatalities and near fatalities nationwide, this statewide increase seems to be higher than nationwide statistics.

Clearly any single death of a child is unacceptable. Children's death from abuse is thankfully a rare event, and it's difficult to generalize from these cases, each one of which may be different. However, the fact that the numbers are rising, and that nearly half of these deaths occurred in families known to child protective services, raises the alarm that interventions to keep children safe are not working the way they should be. In fact, increased reporting may **contribute** to making children less safe, by spreading thin already underfunded resources, and turning the attention of caseworkers away from the children who need immediate intervention.

Ultimately, my recommendation is that there is insufficient data to support expanding mandatory reporting. Instead, I would recommend requiring education about child maltreatment for all individuals who interact with children, as well as ensuring that there is a well-defined pathway for reporting suspicions of child abuse within any institution that serves children. However, if mandatory reporting is expanded, it is important to **allocate resources** to accommodate the significant increase in reports that will ensue, which will need to be recorded, evaluated, investigated, and in many cases, will require the provision of services. **Mandatory reporters will need training**, to ensure that they share a common understanding of what needs to be reported, when and how. **Evidence-based services will need**

to be expanded to assist families in need. Caseworkers will need to be hired and retained to address the expected increase in caseload.

Back in 1979, a large conference on child protection took place at the University of Pennsylvania. A famed child psychologist gave a talk titled " Too Much Reporting: Too Little Service." Nearly 3 decades later, not much has changed. Our goal is not to generate more reports, it is to ensure the safety of our children.

Thank you for allowing me to share my thoughts on mandatory reporting.

Mical Raz Key Points:

There is no evidence that expanding mandatory reporting helps keep children safer. We do know it is costly, and also takes a social and emotional toll on children and families in the communities.

When people report out of fear for repercussions, this generates inaccurate and/or unnecessary reports. This may steer resources away from children at risk who need immediate intervention. As a result, this could in fact place children at greater harm, as the caseworkers are overburdened, and cannot focus on children most at risk. There is also higher turnover when caseloads increase.

Investigations for non-abuse situations disproportionately burden low-income families. These families need services, and not intrusive investigations, which may result in adults losing their livelihood, further worsening a family's struggle.

In PA expanded mandatory reporting has had numerous unintended consequences.

- Sharp increase in all reports, leading to the inundation of an already understaffed hotline. Tens of thousands of calls were dropped or unanswered.
- Reduced rate of substantiation of cases
- Overall there is an increase in absolute substantiation rates, but this is still lower than rates in the past decade (and consistent with national trends), so impossible to attribute this to expanded reporting.
- Huge increase in non-child abuse reports (general protective services). These are mostly situations that require social services, but there are insufficient funds to address these issues. These reports focused on situations such as parental substance abuse, homelessness, parental conduct placing child at risk, child behavioral problems, and truancy.
- Child fatalities and near fatalities are on the rise in PA, exceeding national trends
- Approximately half of these cases of death/near fatality were known to child protective services, demonstrating that the system is not meeting its goals of protecting children.

Clearly, the goal is to improve the safety of our children, and not to generate more reports. Our policy should focus on encouraging accurate reporting, focusing particularly on members of professions that are known to have higher rates of accurate reports, and provide further education to improve the accuracy of reporting, and educating on the definition and signs of abuse.

Furthermore, child protection only starts with reporting -> it's the investigation and provision of services that keeps children safe. If we focus solely on reporting, we risk endangering the manpower and financial resources to provide the services to help families.